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OFFICE OF
INSURANCE COMMISSIONER

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BULLETIN No. 94-3

**MANDATORY OFFERING OF PIP COVERAGE TO ALL AUTOMOBILE
INSUREDS**

Attention: Automobile Insurers

This bulletin supplements No. 94 - 1 and 2 dated April 29, 1994 and May 16, 1994. Washington insurers and rating organizations have asked the Office of Insurance Commissioner to clarify the intent of the Personal Injury Protection (PIP) coverage requirements with regard to commercial automobile insurance. After reviewing the statute, we would advise that PIP coverage needs only to be offered to commercial auto consumers in cases where the named insured is an individual.

RCW 48.22.095 requires that insurers provide PIP coverage to each insured. RCW 48.22.005(5)(a) defines an insured as the named insured or a person who is a resident of the named insured's household. In subsection (9), named insured is defined as the individual named in the declarations of the policy and includes his or her spouse if a resident of the same household.

Therefore, the Insurance Commissioner believes that an insurer must offer PIP coverage for policies issued to a human person under a commercial auto policy, but does not apply to corporations, partnerships, or any other non-human entity named as the insured (reference to human and non-human is to avoid confusion with the legal description of a corporation as a person). It appears clear that the definitions of insured and named insured apply to human persons and their families, and not to corporate entities.

Thank you for your cooperation.

Insurance Commissioner